

**RECEIVED
CENTRAL FAX CENTER**

JAN 06 2005

Remarks

Claims 1-14 are pending.

Claim 1 was objected to for informalities. Applicant has amended claim 1 to make the reference to databases plural, as well as correct any antecedent basis problems with the reference to gateways, by amendment to claim 1 above. It is submitted that these amendments overcome the objections and withdrawal of these objections is requested.

Claims 1-14 are rejected under 35 USC 102(e) as being anticipated by McLampy et al. (US Patent Application Publication No. 2002/0114282).

In the office action, it is stated that McLampy discloses a method for establishing virtual private networks in paragraphs 0011 and 0012. However, the VPN of McLampy is a data network, not a voice network. MPLS is only for data networks, not for voice networks. While reference is made later on to TRIP (Telephony Routing over Internet Protocol, established by the Internet Engineering Task Force's Request for Comments (RFC) 3219), it is not in the context of a voice VPN.

The office action states further that McLampy teaches establishment of at least two TRIBs on the network device. This is actually not true. In McLampy, at paragraph 0109, the reference refers to a TRIB for "each external adjacent router...each external adjacent router...an output TRIB...and a local TRIB." This is actually incorrect. Each of these is a *portion* of a TRIB that is established by a TRIP LS (location server). As McLampy is limited to the TRIB being established by one TRIP LS, the TRIB is being established in accordance with the TRIP specification, RFC 3219.

In section 3.5 of RFC 3219, it specifically identifies that:

"The Telephony Routing Information Base (TRIB) within an LS consists of four distinct parts:

- Adj-TRIBs-In: The Adj-TRIBs-In store routing information that has been learned from inbound UPDATE messages. Their contents represent TRIP routes that are available as an input to the Decision Process. These

are the "unprocessed" routes received. The routes from each external peer LS and each internal LS are maintained in this database independently, so that updates from one peer do not affect the routes received from another LS. Note that there is an Adj-TRIB-In for every LS within the domain, even those with which the LS is not directly peered.

- Ext-TRIB: There is only one Ext-TRIB database per LS. The LS runs the route selection algorithm on all external routes (stored in the Adj-TRIBs-In of the external peers) and local routes (may be stored in an Adj-TRIB-In representing the local LS) and selects the best route for a given destination and stores it in the Ext-TRIB. The use of Ext-TRIB will be explained further in Section 10.3.1

- Loc-TRIB: The Loc-TRIB contains the local TRIP routing information that the LS has selected by applying its local policies to the routing information contained in its Adj-TRIBs-In of internal LSs and the Ext-TRIB.

- Adj-TRIBs-Out: The Adj-TRIBs-Out store the information that the local LS has selected for advertisement to its external peers. The routing information stored in the Adj-TRIBs-Out will be carried in the local LS's UPDATE messages and advertised to its peers."

It must be noted that the office action cited but did not rely upon RFC 2871, which contains the following description of a TRIB.

"The Location Server (LS) is the main functional entity of TRIP. It is a logical device which has access to a database of gateways, called the Telephony Routing Information Base (TRIB). This database of gateways is constructed by combining the set of locally available gateways and the set of remote gateways (learned through TRIP) based on policy. The LS also exports a set of gateways to its peer LS's in other ITAD's. The set of exported gateways is constructed from the set of local gateways and the set of remote gateways learned through TRIP) based on policy. "

Therefore, even though it appears that MeLampy is teaching multiple TRIBs on a device, it actually is referring to portions of a TRIB, not actually multiple TRIBs.

Further, MeLampy does not teach defining a voice VPN for each routing information database. The office action refers to paragraphs 071 and 072, neither of which mentions VPNs. Paragraph 0072 discusses using Carrier Identification Codes (CICs) which is merely a means for identifying the carrier for a particular customer. When a Verizon customer places a long distance call, for instance, the phone number is preceded by the

Verizon CIC to route the call through the Verizon network. This is not a VPN, just a means for identifying upon whose lines a call is sent.

It is possible that there is a misunderstanding of the phrase 'virtual private network.' An explanation can be found on page 1, lines 22-26 of the specification. Further, an explanation of the TRIP and its inability to provide VPNs is on page 3, lines 19-33. As MeLampy is implementing a network through TRIP, it is impossible for MeLampy to be offering VPN services to users.

Claim 1, as amended, requires the use of a voice VPN, not a data VPN. Further, claim 1 requires at least two TRIBs on the device. As discussed above, MeLampy actually discloses only four portions of a single TRIB on the device. It is therefore submitted that claim 1 is patentably distinguishable over the prior art and allowance of this claim is requested.

Claims 2-6 depend from claim 1 and inherently contain all of the limitations of that claim. As discussed above, the prior art does not teach, show nor suggest all of the limitations of the base claim, much less the further embodiments of the dependent claims. Claim 7 depends from claim 1 and inherently includes all of the limitations of the base claim. It is therefore submitted that claims 2-6 are patentably distinguishable over the prior art and allowance of these claims is requested.

Claim 7, as amended, requires the use of a voice VPN, not a data VPN. Further, claim 1 requires at least two TRIBs on the device. As discussed above, MeLampy actually discloses only four portions of a single TRIB on the device. It is therefore submitted that claim 7 is patentably distinguishable over the prior art and allowance of this claim is requested.

Claims 8-10 depend from claim 7 and inherently contain all of the limitations of that claim. As discussed above, the prior art does not teach, show nor suggest all of the

limitations of the base claim, much less the further embodiments of the dependent claims. It is therefore submitted that claims 8-10 are patentably distinguishable over the prior art and allowance of these claims is requested.

Claim 11, as amended, requires the use of a voice VPN, not a data VPN. Further, claim 1 requires at least two TRIBs on the device. As discussed above, MeLampy actually discloses only four portions of a single TRIB on the device. It is therefore submitted that claim 11 is patentably distinguishable over the prior art and allowance of this claim is requested.

Claims 12-13 depend from claim 11 and inherently contain all of the limitations of that claim. As discussed above, the prior art does not teach, show nor suggest all of the limitations of the base claim, much less the further embodiments of the dependent claims. It is therefore submitted that claims 12-13 are patentably distinguishable over the prior art and allowance of these claims is requested.

Claim 14, as amended, requires the use of a voice VPN, not a data VPN. Further, claim 1 requires at least two TRIBs on the device. As discussed above, MeLampy actually discloses only four portions of a single TRIB on the device. It is therefore submitted that claim 14 is patentably distinguishable over the prior art and allowance of this claim is requested.

The prior art made of record and not relied upon has been reviewed and is not considered pertinent to Applicant's disclosure. No new matter has been added by this amendment. Allowance of all claims is requested. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.



Julie L. Reed
Reg. No. 35,349

Customer No. 20575
MARGER JOHNSON & McCOLLOM, P.C.
1030 SW Morrison Street
Portland, OR 97205
503-222-3613